

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2016 DEC -7 P 4: 24
JON W. SANFILIPPO
CLERK

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Timothy Coleman

v.

Case Number:

16-C-1622

(Full name of defendant(s))

Lt. Waller, C.O. Oertel, C.O.
Tutas, C.O. Schmitz, Lt.
Rasmussen. D.O.C.

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

DCI P.O. Box 700, Waupun, WI. 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Department of Corrections
(Name)

is (if a person or private corporation) a citizen of Wisconsin
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Department of Corrections
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Plaintiff Timothy Coleman is an inmate at Dodge
Correctional Institution in Waupun, Wisconsin. He
refused to kneel down on his knees, in order to
be escorted to the shower, due to his leg restraint
restriction, On 11-10-16. Staff used excessive
force, in the form of a X-26 Taser on Plaintiff
while he was already Restrained to door, cuffed
behind his back outside of cell posing no threats.
after staff used this deadly force, Plaintiff fell to
the floor from the force of the Taser, still restrained to the

door. After Plaintiff had to be help to his feet Lt. Waller commanded Plaintiff to walk, due to the use of the Taser, Plaintiff couldnt move Legs normally. Lt. Waller Grab Plaintiff's Neck with Brute Force, and C.O. Tutas and C.O. Schmitz, were holding both my arms and C.O. Oertel pushed me in a wheelchair. Lt. Rasmussen watched as I was assaulted. I was then carried by my neck, to a strip cage. Where I was then Restrained to a door Behind my Back, in Leg Restraints, Held By two officer on each arm, Held also by another Officer by my neck, where I could barely breathe. While being Held and Restrained, Lt. Waller cut the clothes off me in the presense of Female Officer Oertel. Lt. Waller then Rubbed between my buttocks, and against my Strotum. I was Degraded, Humiliated, and caused Intense Pain, Mental Anguish and Personal Injury due to staff Violation of their own Policy and Procedure, There was no Camera Present, and I ^{was} delibritely treated different than another inmate named N. Kittoe who did the exact same act as me on 11-30-16 in Cell 27 of the same Unit as Me. They Violated my V Amendment, and VIII of the Constitution of the United States.

C. JURISDICTION

I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 2 day of December 2016.

Respectfully Submitted,



Signature of Plaintiff

#493580

Plaintiff's Prisoner ID Number

DCI P.O. Box 700

Waupun, WI. 53963

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.